

Before the  
**Federal Communications Commission**  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

1998 Biennial Regulatory Review --  
Streamlining of Radio Technical Rules in  
Parts 73 and 74 of the Commission's Rules

MM Docket No. 98-93

**COMMENTS OF SOUND OF LIFE, INC.**

Sound of Life, Inc. ("SOL"), by its undersigned attorney, hereby submits its comments in response to the Notice of Proposed Rule Making and Order ("NPRM") in the above-referenced proceeding, which was released on June 15, 1998. The comment deadline set forth in the NPRM was extended by the Commission until October 20, 1998, so this document is timely filed.

Identity and Interest

Sound of Life, Inc. ("Sound of Life"), is the licensee and permittee of several noncommercial FM full-service and translator stations licensed to communities in and around the Hudson Valley of New York (among the stations licensed to Sound of Life are WFGB(FM), Kingston, New York, WLJP(FM), Monroe, New York, WRPJ(FM), Port Jervis, New York and WHVP(FM), Hudson, New York). These comments are offered with respect to some of the proposals contained in the NPRM that relate to noncommercial stations.

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### Paragraph 16

Sound of Life supports the proposal in Paragraph 16 to permit the cancellation of noncommercial FM (“NCE FM”) stations in order to decrease interference and allow for more effective spectrum use. The interference reduction principles currently applicable to AM stations appear to have worked well for that service, and should work as well in the case of NCE FM. There is no reason to presume that a large number of such applications would be filed. Accordingly, a case-by-case evaluation process would not unduly burden the Commission’s resources. The AM guidelines will adequately protect the public interest, and the Commission’s discretion need not be limited by an inflexible and arbitrary “local service floor.”

### Paragraph 21

Sound of Life strongly opposes the proposed prohibition set forth in Paragraph 21 against the location of transmitter sites by second and third-adjacent NCE FM stations within an affected station’s 63 dBu contour. The ratio method of calculating areas of interference demonstrates that such a prohibition is unnecessary. Co-location or near co-location of second and third-adjacent stations will offer a sound means by which to increase NCE FM service without increasing interference to existing stations. The proposed restriction is certainly not necessary to prevent a “deluge” of modification applications. The proposed requirement in Paragraph 58 of the NPRM that NCE FM stations provide a level of service to their communities of license will prevent licensees from abandoning smaller communities and stem any feared influx of modification applications.

Furthermore, to the extent the prohibition discussed above might imply a rejection of the ratio method in favor of the contour overlap method, Sound of Life would oppose it on that separate and independent ground. Ratio analysis is clearly the most accurate method by which NCE FM stations can determine areas of signal interference, and it is essential that this method be codified in the revised rules.

#### Paragraph 22

Sound of Life supports the proposal in Paragraph 22 to allow an FM station to receive interference as part of a unilateral expansion of its service contour, provided that such an expansion would not generate any interference to other stations. It was not completely clear to Sound of Life whether the Commission intends this proposed rule to apply equally to new (proposed) stations, as well as to existing ones. There is no reason not to permit applicants for new stations, just the same as licensed ones, to maximize their service area, so long as they cause no interference to existing stations. Furthermore, there are many pending mutually-exclusive applications for new stations that would cease to be in conflict and could be immediately granted if this rule were applied to them.

Such a rule would serve the public interest by increasing service from both existing and new stations. Because it will allow expanded service and listenership, the rule would also offer NCE FM stations the opportunity for increased financial support. On the other hand, there would be no increase in interference to other stations. There would also be no increase in required documentation or “paperwork,” since no agreements are required to support such increases in service contours.

### Paragraph 23

Sound of Life strongly supports the use of ratio analysis that is proposed in Paragraph 23 of the NPRM to determine areas of interference. However, this proposal might also be construed as one that would apply only to existing stations. If this is the case, Sound of Life submits that it should apply to applications for new stations, as well. Ratio analysis is not only the most accurate method to determine interference areas, it is also the most flexible, for it allows second and third adjacent stations to co-locate (or nearly co-locate). As indicated in the discussion of Paragraph 21, above, this salutary result is not possible under the contour overlap method. Sound of Life supports the methodology suggested for ratio analysis that is outlined in Paragraph 23.

The proposal contained in Paragraph 23 will make it possible to offer the public a greater selection of NCE FM stations, which could be built or expanded by co-locating (or nearly co-locating) with other second and third-adjacent stations.

### Paragraph 27

There is no reason to treat negotiated interference agreements between NCE FM stations any differently than such agreements that may be entered into by commercial stations.

### Paragraphs 31 - 33

Sound of Life strongly supports the proposal in Paragraph 31 to use the point-to-point (“PTP”) method for predicting interfering F(50, 10) and service F(50, 50) contours. As the Commission noted in Paragraph 33, the standard prediction method “substantially overstates”

Commission noted in Paragraph 33, the standard prediction method “substantially overstates” the area covered by a station’s interfering contour over rugged terrain. The more accurate PTP method would allow stations in such terrain to demonstrate that interfering and service contours are substantially less than they appear to be under the standard prediction method. The PTP method may make it possible to identify areas where additional NCE FM stations could be built or where existing stations could increase power, while at the same time causing no actual interference to adjacent or co-channel existing stations. The listening public, would, of course, benefit from the resulting increased availability of FM signals.

#### Paragraphs 46-50

Sound of Life supports the proposal in Paragraphs 47 to extend “first come/first served” processing rules to NCE FM and translators. As the Commission notes, the current policy imposes significant (and unfair) uncertainty and delay upon AM, NCE FM and translator applicants. Sound of Life also supports the proposal in Paragraph 50 to make the definition of the term “minor change” for NCE FM and translators conform to the definition applied to commercial FM stations.

#### Paragraphs 55 - 56

The proposal in Paragraphs 55 and 56 to use the 100 dBu contour to determine interference vis-a-vis second adjacent NCE FM and translator stations is a good one. This proposal might allow the addition of new NCE FM stations and permit some existing stations to increase power. This would give the listening public a greater selection of NCE FM programming. It would also permit a more consistent engineering approach to the FM


spectrum. There is no discernible reason for the current approach, which treats NCE and commercial interference calculations differently.

Paragraphs 57 - 58

Sound of Life supports the proposal that some degree of coverage to a community of license be required for NCE FM stations. As stated above in connection with Paragraph 21, such a requirement would be a useful complement to a rule that would permit the location of second and third-adjacent transmitter sites within an affected station's 63 dBu contour. Sound of Life has no comment upon the amount of coverage that should be required over the community of license.

Respectfully Submitted,

SOUND OF LIFE, INC.

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